

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**JASON ZIMMERMAN**, on behalf of  
himself and all others similarly situated,

Plaintiff,

vs.

**PORTFOLIO RECOVERY  
ASSOCIATES, LLC,**

Defendant.

CASE NO. 09-cv-04602-PGG

CLASS ACTION

**DECLARATION OF DONALD S. MAURICE, JR.**

Donald S. Maurice, Jr., of full age, hereby certifies as follows:

1. I am an attorney at law of the State of New York and an attorney with the law firm of Maurice & Needleman, P.C., attorneys for the Defendant Portfolio Recovery Associates, LLC (“PRA”).
2. On May 16, 2013, I caused to be accessed the PACER U.S. Party Case Index available at <https://pacer.login.uscourts.gov/cgi-bin/login.pl?appurl=https://pcl.uscourts.gov/search>.
3. At that time I performed a search for all cases in which Sergei Lemberg appeared as counsel in a federal court case.
4. The earliest case I located concerning a claim made under 15 U.S.C. §§ 1692 et seq. in which Sergei Lemberg appeared as an attorney was August 21, 2008 and the earliest complaint filed under any area of law in federal court was filed on November 14, 2006.
5. Attached hereto as Exhibit “A” are true copies of portions of the transcript of the Deposition of Catherine Hedgeman, showing her deposition commenced at 10:10 a.m. on March 9, 2010 and ended at 3:42 p.m. that same day.

6. As evidenced by the transcript, I defended the deposition and a one-hour lunch-break was taken during the deposition.

7. Attached hereto as Exhibit "B" are true copies of portions of the transcript of the Deposition of Ralph Mesisco, showing his continued deposition commenced at 9:00 a.m. on March 10, 2010 and ended at 11:52 a.m. that same day.

8. As evidenced by the transcript, I defended the deposition.

9. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

*/s/ Donald S. Maurice, Jr.*  
Donald S. Maurice, Jr.

Dated: May 17, 2013

# EXHIBIT A

1 IN THE UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF NEW YORK

3

4 JASON ZIMMERMAN, on behalf of )  
himself and all others similarly )  
situated, )  
Plaintiff, )  
v. )Civil Action No.  
Portfolio Recovery Associates, )  
LLC, )  
Defendants. )  
10  
11  
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13 DEPOSITION UPON ORAL EXAMINATION OF

14 CATHERINE HEDGEMAN

15 TAKEN ON BEHALF OF THE PLAINTIFF

16 NORFOLK, VIRGINIA

17 March 9, 2010

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1 Appearances:

2

3 LEMBERG & ASSOCIATES, LLC  
4 By: SUSAN SCHNEIDERMAN, ESQUIRE  
5 1100 Summer Street  
6 Stamford, Connecticut 06905  
7 sschneiderman@lembertglaw.com  
8 203.653.2250  
9 Counsel for Plaintiff

10

11 MAURICE & NEEDLEMAN, PC  
12 By: DONALD S. MAURICE, ESQUIRE  
13 5 Walter E. Foran Boulevard  
14 Flemington, New Jersey 08822  
15 dsm@mnlawpc.com  
16 908.237.4570  
17 Counsel for Defendants

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24

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13 Also Present:

14

15 PORTFOLIO RECOVERY ASSOCIATES, INC.  
16 By: CHRISTOPHER D. LAGOW, ESQUIRE  
17 KEVIN M. DUFFAN, ESQUIRE  
18 140 Corporate Boulevard  
19 Norfolk, Virginia 23502  
20 clagow@portfoliorecovy.com  
21 keduffan@portfoliorecovery.com  
22 757.961.3519

23

24

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1                   So at any given time, there's only --  
2 there's two notes on here by me in particular, but  
3 that means, minimum, I reviewed this twice. I could  
4 have reviewed this for different reasons several  
5 times, but that's not our practice to note the account  
6 every time we touch it.

7                   MS. SCHNEIDERMAN: No further questions.

8                   MR. MAURICE: I'm done. Thanks.

9                   (The witness will read and sign)

10                  (Whereupon, the deposition concluded at  
11                   3:42 p.m.)

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# EXHIBIT B

1 IN THE UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF NEW YORK

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4 JASON ZIMMERMAN, on behalf of )  
himself and all others similarly )  
situated, )  
                                       )  
6 Plaintiff, )  
                                       )  
7 v.                                 )Civil Action No.  
                                       )09-CV-04602-SCR  
8 PORTFOLIO RECOVERY ASSOCIATES, )  
LLC, )  
9 Defendants. )  
10  
11  
12

13 CONTINUED DEPOSITION UPON ORAL EXAMINATION OF

14 RALPH MESISCO

15 TAKEN ON BEHALF OF THE PLAINTIFF

16 NORFOLK, VIRGINIA

17 March 10, 2010  
18 Volume II  
19  
20  
21  
22  
23  
24  
25

1 Appearances:

2

3 LEMBERG & ASSOCIATES, LLC  
4 By: SUSAN SCHNEIDERMAN, ESQUIRE  
5 1100 Summer Street  
6 Stamford, Connecticut 06905  
7 sschneiderman@lembertglaw.com  
8 203.653.2250  
9 Counsel for Plaintiff

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11 MAURICE & NEEDLEMAN, PC  
12 By: DONALD S. MAURICE, ESQUIRE  
13 5 Walter E. Foran Boulevard  
14 Flemington, New Jersey 08822  
15 dsm@mnlawpc.com  
16 908.237.4570  
17 Counsel for Defendants

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15 PORTFOLIO RECOVERY ASSOCIATES, INC.  
16 By: CHRISTOPHER D. LAGOW, ESQUIRE  
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1                   Continued deposition upon oral  
2 examination of RALPH MESISCO, taken on behalf of the  
3 Plaintiff, before Kerry E. Zahn, Registered Merit  
4 Reporter, Certified Realtime Reporter, a Notary Public  
5 for the Commonwealth of Virginia at large, taken  
6 pursuant to notice, commencing at 9 a.m. on March 10,  
7 2010, at the offices of Zahn Court Reporting, 208 East  
8 Plume Street, Suite 306, Norfolk, Virginia.

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10                  RALPH MESISCO was sworn and deposed on  
11 behalf of the Plaintiff as follows:

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13                   CONTINUED EXAMINATION

14 BY MS. SCHNEIDERMAN:

15 Q.           Good morning.

16 A.           Good morning.

17 Q.           How are you feeling this morning?

18 A.           Fine.

19 Q.           Do you remember the instructions that we  
20 went over yesterday?

21 A.           I do.

22 Q.           Okay. Any questions concerning the  
23 procedures we're going to follow? This is your one  
24 opportunity to ask a question.

25 A.           No.

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1 A. Yes.

2 Q. Did that trip relate specifically to  
3 this lawsuit?

4 A. No.

5 MS. SCHNEIDERMAN: I have nothing  
6 further.

7 MR. MAURICE: Good. We're done.

8 (Whereupon, the deposition was  
9 concluded at 11:52 a.m.)

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